



UNITED STATES PATENT AND TRADEMARK OFFICE

21
UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/729,490	12/05/2003	Scott M. Williams	SW-1-gw	3137
7590 Michael I. Kroll 171 Stillwell Lane Syosset, NY 11791	02/23/2007		EXAMINER DINH, TIEN QUANG	
			ART UNIT 3644	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE		
2 MONTHS	02/23/2007	PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

MAILED

Application Number: 10/729,490
Filing Date: December 05, 2003
Appellant(s): WILLIAMS, SCOTT M.

FEB 23 2007

GROUP 3600

Mr. Edwin D. Schindler
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 11/13/06 appealing from the Office action mailed 3/10/06.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

3695681	Dockery	3-1972
4893908	Wolf et al	1-1990

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1-4, 13-18 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Dockery.

Claims 1-4, 13-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wolf et al in view of Dockery.

(10) Response to Argument

The Examiner respectfully disagrees with the applicant that Dockery does not show a “photosensitive” window. The photosensitive portion of the windshield that is claimed are disclosed on column 3, lines 45-52. The photosensitive portion that is surrounded by non-sensitive portion can be interpreted as many portions shown in the drawings but one example can be element 22.

RE claim 2, the switch 118 or 150 controls the photosensitive circuit.

Re claim 3, the step of adjusting the opacity of the photosensitive portion is disclosed on column 4, lines 15-18.

Re claim 4, the step of adjusting the response rate is disclosed in column 3, lines 61-65.

In response to applicant’s arguments that Wolf et al is not combinable with Dockery, the Examiner respectfully disagrees. Wolf et al teaches that windshields with means to change the opacity for aircrafts/vehicles are well known in this day and age. One skilled in the art would have used Dockery’s teaching of the claimed subject matter in Wolf et al’s system to adjust the window’s property as desired by the passengers.

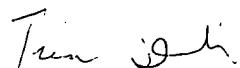
(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Tien Dinh



Conferees:

John Eldred 

Meredith Petravick 